

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

W. JAMES KERNAGHAN, II	:	
&	:	CIVIL ACTION
ON TARGET ACQUISITION, LLC	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
	:	
AMERICAN TOWER CORP.,	:	
&	:	
METRO PCS COMMUNICATIONS, INC.	:	NO: 09-4371
Defendants.	:	

ORDER

AND NOW, this 8th day of September, 2010, upon consideration of Defendant Metro PCS Communications, Inc.'s Motion for Summary Judgment (Doc. No. 22), the Response of Plaintiffs W. James Kernaghan, II, and On Target Acquisition, (Doc. No. 24), and Defendant's Reply (Doc. No. 25), it is HEREBY ORDERED that the Motion is GRANTED.

JUDGMENT IS ENTERED in favor of Defendant Metro PCS and against Plaintiffs.

BY THE COURT:

/s/ Lynne A. Sitarski
LYNNE A. SITARSKI
UNITED STATES MAGISTRATE JUDGE